

VZCZCXYZ0002

PP RUEHWEB

DE RUEHKU #1139/01 3211314
ZNR UUUUU ZZH
P 161314Z NOV 08
FM AMEMBASSY KUWAIT
TO SECSTATE WASHDC PRIORITY 2355

UNCLAS KUWAIT 001139

SIPDIS
SENSITIVE

STATE PASS TO USTR JBUNTIN

E.O. 12958: N/A

TAGS: [ETRD](#) [ECON](#) [KIPR](#) [KU](#)

SUBJECT: GOK DEMONSTRATES PROGRESS ON IPR ENFORCEMENT

¶1. (U) Summary: Recent actions by the Kuwaiti Government have shown its commitment to improving IPR enforcement. The government has stepped up public efforts to curb the use of illegal software, hardware and pirated CDs/DVDs. (Note: An increase in the number of raids/confiscations took place following the establishment of the IPR committee in 2006, which includes the Ministries of Justice, Interior, Information, and Commerce and Industry. End Note). Kuwait's Ministry of Information teamed up with the Business Software Alliance (BSA) in an effort to strengthen anti-piracy enforcement and to raise public awareness. On October 29, Kuwait's Capital Municipality Director Engineer Mohammed Al-Aradi, in coordination with the Ministry of Commerce and the Arab Anti-Piracy Union, witnessed the destruction of over 64,000 confiscated DVD's and CD's, collected in raids over the past six months. This increased commitment to IPR enforcement now needs to be matched by more stringent IPR legislation. End Summary and Comment.

GoK Documents Successful Destruction of Confiscated DVDs

¶2. (U) On October 29, Econoff accompanied Kuwait's Capital Municipality Director Mohammed Al-Aradi and Brigadier General Qasim Khaja, Office Manager for the Arab Anti-Piracy Union to witness the destruction of over 64,000 confiscated DVDs/CDs obtained in numerous raids carried-out over the past six months by an inspection team from the IPR Committee, (which falls under the Ministry of Interior). Carrying out raids, pursuing prosecution and closing down vendors selling illegal media have all been part of the commitment made by the GoK to act against counterfeiting. Al-Aradi told Econoff that in addition to the large quantity of pirated DVDs/CDs, the inspection team confiscated huge quantities of counterfeit watches, cosmetics, medicine and perfumes which he intends to destroy in the coming months.

GoK Sends Strong Message to IPR Violators

¶3. (U) Illegal software continues to be a growing problem for Kuwait and as part of its efforts to reduce the amount of software piracy, the GoK signed a Memorandum of Understanding (MOU) with the Business Software Alliance (BSA), which includes an intensive anti-piracy advertising and media campaign. During raids on local computer shops in July and September, the Kuwait Ministry of Information confiscated 400 compact discs, and hard drives loaded with unlicensed software from local computer shops. The GoK said it has taken seriously the threat of laws against IPR and intends to send a strong message to violators that such violations will not be tolerated. According to the Co-Chairman of BSA Middle East Jawad Al Redha and H.E. Rasha Al-Sabah, Intellectual Property Rights Manager, although Kuwait has made significant strides in the reduction of software piracy, there is still much more that needs to be done in order to flush out piracy. According to Al-Sabah, the Ministry of Commerce has been

following additional leads that will help in its anti-piracy efforts.

Kuwait Regional IPR Enforcement Workshop

14. (U) On October 26-28 Kuwait hosted a three-day regional conference for Public Prosecutors on Intellectual Property Rights Enforcement sponsored by the U.S. Middle East Partnership Initiative (MEPI) and organized by The United States Patent and Trade Office (USPTO) Global Intellectual Property Academy, the U.S. Department of Justice, and the Kuwait Institute of Judicial and Legal Studies. The event was attended by 29 Public Prosecutors from Morocco, Bahrain, UAE and Kuwait and included seminars and roundtable discussions which stressed the importance of IPR enforcement, the challenges involved, and judicial and prosecutor perspectives on Criminal IPR cases. The event was successful, with active discussion and sharing of experiences.

Comment

15. (SBU) The GoK's progress on IPR enforcement has not been matched by progress in amending outdated IPR legislation. New legislation, compliant with international standards, on copyright, trademarks, and patents needs to be enacted. USTR is working with GoK officials on updating current draft legislation. GoK officials express frustration and complain that the failure of Members of Parliament (MPs) to realize the importance of IPR, makes it difficult to enact IPR legislation in a timely fashion. Absent stronger legislation, IPR enforcement will be constrained. End Comment.

For more reporting from Embassy Kuwait, visit:
<http://www.state.sgov.gov/p/nea/kuwait/?cable s>

Visit Kuwait's Classified Website:
<http://www.state.sgov.gov/p/nea/kuwait/>

JONES